

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

1. **Susan Pomraning**

Plaintiff,

vs.

1. **United States of America**

Defendant.

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Case No. 11-CV-00664-GKF-TLW

AMENDED COMPLAINT

1. The Plaintiff is a citizen of the State of Oklahoma.

2. This Court has jurisdiction because this is a federal question. This cause of action is governed by the Federal Tort Claims Act (FTCA), 28 U.S.C. §§2671-2680.

3. Venue is proper because the acts of negligence occurred in the Northern District of Oklahoma.

4. At all times herein Michael Freeman, D.O., was acting as an agent, servant and employee of the Defendant United States of America. Dr. Freeman worked at what is commonly known as the Claremore Indian Hospital.

5. Dr. Freeman operated on the Plaintiff in February 2008. He did an open sigmoid colectomy and repair of an umbilical hernia. The Plaintiff had post-operative complications which were treated by physicians at the Claremore Indian Hospital in March 2008.

6. On May 5, 2008 a CT Scan was done and showed a 12 cm abscess in the right lobe of the Plaintiff's liver.

7. On May 6, 2008, Dr. Freeman admitted Plaintiff to the Claremore Indian Hospital. On May 6, 2008, Dr. Freeman made arrangements for the Plaintiff to come to Tulsa so that an

interventional radiologist could put a catheter into the fluid collection in the Plaintiff's liver and drain it. The Plaintiff returned to the Claremore Indian Hospital and stayed there until May 10, 2008.

8. On June 9, 2008, another CT Scan was ordered by Dr. Freeman and/or other agents of the Defendant. The CT Scan showed multiple lesions in the Plaintiff's liver, some of which were not present on the first CT Scan.

9. On July 10, 2008, the Plaintiff went to St. Francis Hospital in Tulsa. She was admitted and stayed there until August 28, 2008. During that hospitalization, the Plaintiff had many surgeries and other medical problems, which were caused by the negligence of Dr. Freeman and the other agents, servants and/or employees of the Defendant who negligently treated the Plaintiff's liver problems by not putting making sure the fluid and abscesses were drained from the liver and by not putting her on IV antibiotics. This allowed the abscesses to progress to the point that Plaintiff developed other medical problems and complications, including but not limited to, mental status changes, meningitis and liver problems.

10. As a result, the Plaintiff has suffered serious and permanent injuries, including, but not limited to physical and mental pain and suffering and loss of enjoyment of life. Plaintiff has incurred medical expenses in excess of \$300,000.00 for treatment of injuries caused by the negligence of the Defendant's agents, servants and/or employees.

11. The Plaintiff has complied with the requirements of the FTCA. Notice was served on the United States of America on or about March 22, 2010. On August 23, 2011, the United States of America denied the Plaintiff's claim and advised her she had six months to sue the United States of America in the appropriate district court.

12. The Plaintiff has attached to this Amended Complaint the affidavit required by 12 O.S.

Section 19.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the sum of \$1,500,000.00, interest, costs and such other relief to which she may be entitled.

Respectfully submitted,

s/Anthony M. Laizure
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Attorney for Plaintiff

Attorney Lien Claimed

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of January, 2012, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants (names only are sufficient):

Wyn Dee Baker wyndee.baker@usdoj.gov

s/ Anthony M. Laizure

Anthony M. Laizure